'893-94
(L.R.).

File No. 84 of 93
Serial No. 1-21

Sub: Appeal of Mohamed Hussain Sabi of Anekal Taluk regarding the disposal of his lands in Kalanaikanahally, Anekal Taluk.

P. F. 35 of 96

G. R. S. IX-5]

Previous references. 1893-94.

192 .

(L. R.)

Later references.

File No. 84 of 93

Serial Nos. 1-21

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-21

Major **Part B for** July 1894

SUBJECT.

Appeal of Mahamed Hussain Sahi of Anekal regarding the disposal of his lands in ~~S. No. 24 of~~ Kalamakanahalli, Anekal Taluk.

WD 2233—GPB —20,000—14-6-20

Indexed 145

3

applicants - when
he settles the matter
finally ~~on appeal~~
~~of Petitioners Interests~~
~~Interests~~ will
be considered &
disposed of. Meanwhile
the attention of the
Dy Comrs is drawn to para 14 of
Rule XX of the Land
Revenue rules which
lays down that ~~the~~
Darkhasts for the
whole Survey field
~~is~~ shall have
preference over
Darkhasts for portions
only. ~~that~~ on this principle,

1/2/194

Copy to all Dy
Comrs.

1/2/194

& gives her
final sanad
to K Pattadar,
& Non claimants,
any appeal
preferred

Sanad.
Dy Comr does
appear to have yet
ed the final
rs. He has been
ected to dispose
matter finally,
ne and Sanad to Pl
vey prefer the
appeal

4

the applicant for
larger area of Govt
land has a better
than one who applies
a smaller area

VL
21/2/44

I think it inexpedient
to dispense with Govt
Sanction, for occupation
or other disposal of Govt
land - Para 39 of the Rev. Rules
Code

In such cases
If the D.C. reports for orders
it will be Suffr. for Govt
to pass its decision on
such reports without
hearing parties

8.2.44.

Draft
Memorandum
as discussed
Please have
carried out
VL
12/2/44

As the first part
thereof is contra
to rule framed
thereunder vide
of the Land Rev (
Inwards and the
Devon for appro
before issue

Resubmitted to the Reven
Offr/2

Do so
VL
5/2/44

Seen
12/2

Re-draft
12/2

12/2

4/a

Read Docket from the
Dy Conr of Bangalore
dy 21st Sept 1892 No 397

In the absence of
the statement showing
the occupied area of
the village of Kalanayakan
halli, the Govt are unable to
say how much of the
Govt land may be
granted to the applicants. 1

As a rule however, when
the villagers concerned do
not object, Govt are land

N.B. Dy Conr
is requested
to submit the
Statement
presented to
Govt Board

may be ordered
for consideration on
full case with
reference to Govt.
~~of the valuation of~~
~~the property~~ It may
then be open, that
the matter should be
~~compiled~~ submitted
to Govt for orders with
the prescribed statement.
In the case under notice
the appeal appears to
be satisfied with a
refund of 50 acres

3. From the enclosure sanction
~~copy~~ of the Deputy
read above, the Dy Comr
does not appear to have got
passed any final orders
in regard to the relative
claims of the several

Appeal petition No. 416 lodged by Parkland Kerfield Estate against Kiselle against the assessment of Kerfield. Surfield Estate being dissatisfied with the decision passed in the village of Kaikanfalle.

Kerfield 1-7-93
(not to be removed from file)

The Trustees of Kaikanfalle village had, previous to the petition being lodged, served the Kerfield Estate with a notice of 4-4-6. Which notice the Estate neglected to comply with. The Trustees, on the 8th inst. passed the following resolution:

	a.	p.
+ Roadwork	7	25
Drainage	7	4
Footpaths	4	34
	19	3

(See minute in book lying in the Office with the Secretary 10-11-93)

"That the Engineer be instructed to prepare plans and specifications for the roads and footpaths, and that tenders be invited for the same."

The Engineer reported that the roads and footpaths could be made for £19-3-0 and that the Trustees could borrow the money from the Village Council.

Mr. Stephens, on behalf of the Kerfield Estate, said that they were willing to pay their proportion of the cost of the roads and footpaths, but objected to the Trustees borrowing the money from the Village Council, as they could get it cheaper elsewhere.

-- 10 - 93

Some of the Ratepayers present at the Village Council Meeting held on 10th inst. were present at the meeting held on the present occasion.

Mr. Stephens' objection

Hospital Sale also applied for interim
injunction with a view to enjoining the said
Lay Trustees & Trustees and Governors
from giving effect to the said resolution
passed by the Governors

After hearing Counsel for
the respective parties & the Petitioner
proceed with a statement showing particulars of the respective claims of the said Petitioner
for and against the respective to the proposed
Asylum Transferees, and referred him
that the Court will be satisfied
that the Petitioner has a
that the Petitioner has prepared a Scheme
to the effect that the Petitioner
can lawfully & properly be appointed
for them of the Trustees & Governors
for and the remaining 3 -
Trustees & Governors
Hospital Sale.

The Petitioner then put in
Court Petition, dated the
to restrain the Trustees and Governors
before him during the pendency of the
Suit and the Petitioner having been
sworn, examined the Petitioner and
Hospital Sale. The Petitioner that the
Scheme, which was prepared by
the Petitioner of the Petitioner will not
by those of the Petitioner, that they
would not be able to have the most favourable
Petitioner entered into
Sale that it would be advisable

12 31-12-92

Ld. 6th 96-8-93

21-1-93

Ld. 10th 96-1-93

Ld. 25th 96-1-93

15

No. 47 of 27-7-93

The Dy. Commissioner having approved of the suggestions contained in the above memo. asked the Sub-Asst. Surgeon to sub-mit an alienation statement in the prescribed form for submission to Govt.

This was complied with by the above officer - vide memo No. 28 of 1-7-93.

9-7-93

Petitioner [illegible] [illegible] [illegible] has appealed to Government alleging that he applied to the Collector of [illegible] for the grant of 184 acres of pasture land in the village of [illegible] for the pur-pose of building a village thereon and bring-ing the remaining land under cultivation which would yield additional revenue to Government, that previous to his appli-cation [illegible], people of the neighbour-ing village had applied for a portion of the land in question, that the Collector, after due enquiry, recommended com-pliance with the petitioner's request, re-serving 50 acres thereof for grazing cattle; the Commissioner, the Sub. Asst. Surgeon not-withstanding the complaints from the [illegible] and ~~[illegible]~~ other inhabitants that they had no objection to the grant of the petitioner's request, recommended the rejection of the [illegible] to the [illegible] disadvantage - that the Dy. Commr. having approved of this rejected the petition + endorse-ment No. 25 of July 93, and praying that the land applied for ~~[illegible]~~ may be granted to him free.

+ not [illegible] with the [illegible].

No. 397 of 21-9-95

16

The Hy. Commissioner, Refugees Settlement
for C. Afd. Jan Hr. Ramsammy Esq.
Pleases send advise that if the Government
be pleased to sanction the allocation
of the Forest Land for Cultivation, it
will be disposed of under the Regulations
framed by Govt.

AdC

5

(29)

Submitted to the Commissioner

Bhi acres to go to Village Common

The following persons Dharkasted for S. No 24 of [illegible] village as shown below:

Name of Dharkastdar	date	Extent applied for
Muduvera	11-9-90	8 acres
Obli Reddi	do	do
Gurrappa	do	do
Some ryots	October 91	7 1/2 acres
Mahomed Hussain Sabi (Ctr)	5-1-92	the whole survey number

No 34 of 20-7-93

The Dy Commr. Bangalore ordered that setting apart 36 acres out of the whole number as village Common the rest should be dharkasted and the portions applied for by the several dharkastdars be granted to them.

Mahomed Hussain Sabi appealed to Govt.

And it was ordered & & Pro Con 4665-T
that the Rules shall for .4T
be passed in the 27-2-94
absence of a Standing
or the Alternate of
Genl Court Under Chapter
the Head of Title and
the Section Same and
in the Index — &c
Attested & the Seal
was Affixed & Pro &
of the Court
Adam, Clerk
Provided that Rules
for which Penalties
shall have previously
been Prescribed
shall Remain for
Further Action

Ref by Counsel
Submitted an Alternate
the Court, which was
Sanctioned by the
And the Ry Commr
was Asked to depose
of the Alternate and
Accordingly & the Court
Rules.

1/ Unless there are Special reasons for deviating from the rule (rule made after the draft of order 12-14-95)

& Pro 455-T 2-T-94

16-4-93 13

and granted to them - and the latter stated that owing to the misfortune of the people the above villagers deposed before him differ- from their previous opinion expressed to the Mahazar that he would not like to have 20 or 30 acres which would remain out of the number after complying with the darkhasti and allotting a portion thereof for pond and that it would be con- -venient for him to build a village and improve the land if 134-0-0 were granted to him -

15-1-93

The Asst. Dy. Comr. seeing the ne- -cessity of further investigation into the matter sent the papers to the Amildar for submission to him during his next visit to the Taluk with the parties con- -cerned.

No. 1691 of 29-5-93

Petitioner Mahomed Koopan Sahib, in the meanwhile, submitted a petition to the Dy. Commissioner praying that the land under reference applied for by him 6 or 7 months ago together with 200 acres lying in continuation thereof and situ- -ated in Bodre Kodahalli, might be granted him early to enable him to clear the land of the vegetation &c with a view to build a village thereon and bring the land under cultivation.

10-6-93

No. 427 of 18-6-93

This was referred to the Asst. Dy. Comr who sent it on to the Amildar asking him to inform him what had been done

No. 1944 of 29-6-93

No. 50 of 8-7-93

No. 51 of 12-7-93

10

I would submit that
a Committee for that
information would be
of use."

Petrograd
proceeded to deliberate
on the question of issuing
that the rule should
be the Commissioners
adopted and that
title land may be
granted to them.

Q.

Whether there are
any rights in the land
such as those which
under the rules are to
be disposed of by sale -
& the sale be provided
with in the manual
circle

13.3.95

Sd/-
Secy. to Govt. of India
(Ans 28/3 date 16-3-95)

that he hears that the
Council has been held
and requests that the
said Kay for Empress
that purchasers may
be put in possession
of the lands pending
the appeal - the appeal -
he wants the whole Council
to be granted to him -

After the order of the
13 March is read, Council
has granted an
adjournment that his
request for the stay of
sale has withdrawn

Q 1/4

Memo already in duplicate
with Council that in accordance
with new Rule XX
have 14 th Draft sent to a
whole number in the
Province - Under this
decision Bet & Hossain (Ltd)
Dunkast is entitled to preference
and the land, whole, and part of
the lands or other parties -
obtained upon - The sale of
the whole land was, authorized
in accordance with this memo
a Thi Dep Comm in Council
Endorsement to be
in duplicate
- Dep to Dep Comm

J. C. 9/5

Signed

Sealed & Rec. Counsellor

9/

Dep Comm Lands to attend Council with papers relating to appeal of Kay & Co. re sale of land in Dunkast Tp. 21 April

7 Revis Prevs (31)

No. 2591 - 7-93.

Appeal Petition No. (1) 466 - submitted by Mohamad Hussain Sahi of Anekal Taluka against the order of the Deputy Commissioner Bangalore District - refusing to comply with his Darkhast for some pasture land in the village of Kalamallanahalli - Anekal Taluk. -

One Hundreea of Kalamallanahalli, had previous to the survey settlement held No. 72 on Kullahanni Kandayam of 4-14-6. At the time of the settlement, included in Survey No. 24, and the whole of it containing 184-10, was given to the villagers as Gomal.

On the 11th September/91. the said Hundreea and two others, who had previously held a portion of the above number, applied to the Amildar

x a. g.
w. a. - 7-25
Rette - 7 - 0
Appx - 4 - 34
19 19
Hussain Sahi No. 2961/91-92

Mamildar that they might be granted 8 acres each of the above numbers for grazing purposes on assessment fixed at the rate prevailing in the neighbourhood. 16

Some of the Rayats of the same village applied in Octr 1891 that 76 acres of waste might be taken divided and given them on assessment for the same purpose.

Recently Petitioner Mohamad Hussain also applied for the whole number with a view to improve the land by building houses and thereby inducing Rayats to come and settle there. 31. 12. 92.

The Mamildar after necessary enquiries about the land, submitted the papers with a statement showing particulars of the unassessed "Kharab" lands applied for, to the General Assistant Commissioner and informed him that the extent of the land was a 184-10 g. and No. 672 of 6. 3. 93.

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19

and that the Kankdar reported in his No. 430 of 22-1-93, that the villagers had a Mahazar prepared, stating that the village contains 100 heads of cattle - and that 50 acres of land would be sufficient for them - and that the remaining land a/c measuring 134-10-, may be given to Petitioner Mohamed Hussain Saib.

Mr. Coopaswami said the Jemadar Assistant Commr., directed the Kankdar to produce the parties with records during the Jamabandy of the Taluk - and the Kankdar having done so, the villagers and Mohamed Hussain Saib were examined - and the former stated that the Mahazar read to them, was prepared by the villagers of Kalamallamahalli - and not by those of Wandamahalli and that they are not willing to have the whole number given

No. 1534 of 2-4-93

No. 763 of 19-4-93.

the land - and have the same
thus made fit for cultivation.

The said petition was
referred to the General Asst
Commr who in his turn
called for the Amildar -
enquiries as to what has
been done in the matter.

No. 4270/15-6-93

No. 1944/29-6-93

The Amildar in reply
to the above - referred to
his No. 28 of 5-7-93.

No. 501/8-7-93.

D.C. Ramaswamiah -
the then General Asst -
Commr, enquired further
in the matter - and inspected
the land in person with
the Amildar and the
Dandhakdars - and submitted
a memorandum to the D.C.
Commr, for orders.

No. 34 of 22-7-93.

In it he observes
that the Jamal attached
to Kalamallanahalli,
containing 10 houses and
100 heads of cattle, is
proportionately very large.
That there is no Jamal
attached to the adjoining
village Vaddaranahalli.
That the Petitioners and 2nd Dandhakdar
have better claims for the
land - than the 3rd Petitioner,

who does not like to take up less than the area applied for by him. As the Jirah and Kalkhaldars had portions of the above number in their holdings & during settlement, they would be put to much inconvenience for want of Jungal - if their Darkhast are not complied with - & they have no Jungal lands attached to their village - and he therefore recommends that 36 acres of the said number may be set a part for the village Jungal - and the rest may be subdivided, assessed - and given to the Jirah and Kalkhaldars.

The Deputy Commissioner having approved of the suggestion of the Asst Commr, requested him to submit an alienation statement in the prescribed form for submission to Govt. - No. 47-D/27.7.93

This was complied with by the Asst Commr. Vide memo No. 28 D/

Petitioner Mohamed Hussain daily applied 9.7.93

given to Petitioner
Mohamed Hussain
Saib - and that they wanted
the land to be subdivided
and given to them - while 16. 4. 93.
the latter stated that the
villagers have stated as
above that the investigation
of the people, contrary to
what is said in the Mahazar,
and that he would not like
to have 20 or 30 acres - as 15-1-93
they would not answer
the purpose for which
the land has been applied. -

The general assistant
Commissioner finding
that further investigation
is needed in the matter -
both the records back
& the Muildars as they
have & produce the same
with the parties, & his
report with his duly No. 1691 of 29. 5-93

Petitioner Mohamed
Hussain Saib, in the
meanwhile submitted
a petition & the Deputy
Commr. praying that 10-6-93
the land under reference
might be given to him
early, & enable him to clear

the

& Government stating
that he applied to the
Amildar of Anekal
Taluk, for the grant of
164 acres of waste land
in the village of
Kalanaikanahalli, for
the purpose of building
a village thereon - and
bringing the land under
cultivation which would
yield additional revenue
to Government: that
Reviews & his application
came to Rayalo of this and
other neighbouring villages
had applied for a portion
of the said land: that the
Amildar after due
enquiry, recommended
compliance with the
petitioners request,
reserving 50 acres
thereof for Sonal - & that
H.S. Ramaswamiah the
Sonal Assistant Commr
~~not the Landing~~ Inspector
drew the Rayalo and other
Ryots that they
had no objection to the grant
of the petitioners request,
recommended the grant

B

of the said land & the Land
& Rankhabdas - that 24
the Deputy Commissioner
having approved of this -
granted the petitioner an
Endorsement No. 25 of
1st July 93: and praying
that the land applied for
may be ordered the
Crown hire.

The Deputy Commr in his letter dtd 21/7/93
refers to the 2nd General
assistant Commanding
and added that if the Govt
be pleased to sanction
the alienation of the
Jowal land for
Cultivation it would
be disposed of under the
provisions of the
Land Revenue Rules.

No. 397 dtd 21-9-93.

The order of Government
in connection with the
said appeal of Mohamed
Hussain Saib - was that
no order could be passed
in the absence of a state-
ment for the alienation
of Jowal lands showing
the extent under cultivation -
the number of cattle and the
existing Jowal land in
the village. The attention
of

Vide G. O. No. 1466-72
Ret 1474
dt 27-2-94

as the Lumming Department may hereafter fix.

If there is no objection, the sale should be held at once.

1st Dec. / 94.

The Deputy Commr. reported that he had directed the 2nd Assistant Commr. to sell the land en bloc by public auction at the upset price of Rs. 50, the estimated cost of subdividing the land subject to the condition of the purchaser paying the assessment fixed by the Lumming Department on the various lots.

The order of the Revenue Councellor on the land report of the Deputy Commr. was as follows:-

1st 742 D/ 27-12-94

"I believe there are no rights in the land such as there are which under the rules are to be disposed of by sale. Let the sale be proceeded with in the usual course."

13. 3. 95

Petitioner

Petitioner again presented a Petition praying that the sale ordered by the Deputy Commr. may be stayed and that the land may be granted to him. 19.2.95.

The Endorsement thereon stating that his request Could not be Complied with. No. 2129 of 18-3-95.

Petitioner Mohamed Hussain Sib again represented that he heard that the land had been sold - and prayed that the sale might not be confirmed - that purchasers might not be put in possession of the premises pending disposal of the appeal and that the whole land might be given to him. 16.3.95.

The order of the Revenue Councellor with regard to the above Petitions runs as follows: —

" There is already a Petition on the Record.

that

from the Deputy Commissioner Bangalore - dated the 16th July 1894 may be read.

The Deputy Commissioner in forwarding the entire Records of the case - X reports as follows:—

X No: 735-7/S 20/12/94

"Survey No. 24 was free Gomal, and the Petitioner and some other Ryots of the village having applied for it for cultivation, the Government in Revenue No. 433-4 / R. F. 1-94 dated 7th July/94 sanctioned 130 acres to be alienated and given out on Addl assessment. On 16th August/94, the late Deputy Commissioner ordered that the land should be divided into convenient Survey Numbers - and such numbers as contain trees - sold separately. The Petitioner complained to Government - and on

that in accordance with
Land Revenue Rule
XL para 14 - the
Darkhast for a whole
number should be
preferred. Under this
direction Kitlima
Hussain Laibi,
Darkhast is entitled
to preference - but the
land has to be sold if
there are trees or other
valuable rights appertaining
to Government. The
sale of the whole land
was authorized in
accordance with this
view as it was reported
that there were mango
and other trees on it.
The Deputy Commissioner
reports in No. 742 of the
21st December that he
has asked the General
Assistant Commr to
sell the land en block.
The Deputy Commrs
action under the
circumstances, is right.

Endorsement

Endorsement & ~
Petitioner in three cases - 30
and copy & Deputy Commr".

Accordingly an Endorsement
was given & the Petitioner
Hussain Laib, stating that
the order of the Dy Commr & the
Asst Commr, & all the land "Poramboke"
is correct. -

Mohamed Hussain Laib
presented another
petition praying that
the case may be posted
for hearing and Justice
done to him.

No 2373 of/10-4-

No 839 of/19-8.
This Petition is
Not filed.

Subsequent & the above
Petition - Mohamed
Hussain Laib - submitted
another Petition ~
requesting that all the
trees in the land under
quotation - may be
given to him at Rs 4
per each - and that a
hearing may be given
to him - and then Justice
may be done with his case.

No 858 of/22.
This Petition is
not filed

On receipt of the above
Petitions - the Revenue
Commissioner ordered that
a full report may be called for
from

of/18.11.95

on receipt of the Chief Secretary's Memo. No. 892 dated 1st Dec. /94, the late H.E. Mir Khyber Ali Khan, issued the following order:—

The Deputy Commr. has no objection to the sale of the land en block by public auction at the upset price of Rs. 50/-, the estimated cost of subdividing the land, subject to the condition of the purchaser paying the assessment fixed by the Survey Department on the various subnumbers. The sale should be held at once." This order was approved by Government, Vide Official Memorandum No. 17404 dt 7th April/95 V. 1414 but in selling the land, the Municipal Commrs. should have had regard to the

37

Before the Government of Mysore.

Appeal No. 173 of 1894-95.

Appellant.	Vs.	Respondents
Rahimed. Hussen Sahi		Patil Basalingappa & Others.

Dispute regarding the sale of S. No 24 of Kalamaganhalli, Anekal Taluk.

List of papers.

(1) 6(29) Vide separate list attached.

(29) Office Files

(30) Translation of Lands application.

(31) Plans.

The Amildar's action in selling the land in this appeal was passed on 19.12.94 which was approved by Govt. The result of these orders shows that three of these numbers remain unoccupied. The Petitioner

x on 4/3/95 33

of the above order and sold the land Sub numbers as marginally noted results, which action has since apparently been approved of by the 2nd General assistant Commissioner who confirmed the sale of No. 20/24 in his order No. 753 dated 9th April/95.

Continuation with reference to Asst. Secy's query noted on the Wz. Com'rs letter — the Amildar in his report No: 533 of 5/1/96 paragraph 2 says as follows: — "The current year's accounts have been prepared in accordance with the Akarband as revised by the Survey Dept. and khata also has been made out in the names of the auction purchasers." After the sale the boundaries of all the Sub-numbers were fixed and bunds were also put up.

A.S.
21/3/96

with reference to the demi-official of the Asst Secy the Wz Comr was asked to give a distinct reply

P.T.O

3/24	Chikka Kalle	16.	10—4		
4/24	Venkatarayu	13.			
6/24	Chinna Appu	13.			
6/24	Chinni Saibe Reddi	16.			
7/24	Vobala Reddi	24.			
8/24	Chikkanna Kalle	35.			
9/24	Gurappa	15.			
10/24	Appaiah	7 1/2			
11/24	No bid	"			
12/24	Venkata Raya	7 1/4			
13/24	No bid				
16/24	Kondei	27			
17/24	Gurappa	14			
18/24	No bid	"			
19/24	— do	"			
20/24	Vobala Reddi	52			
	Total	315 1/4			

The Deputy Commissioner Bangalore reports that the purchasers were put in possession of the lands sold & Sagavali thereof issued on 21st April 1895 but recommends that the sale by the Landholder & any rights thereby created be cancelled & sale the land allotted to petitioner mentioned hereafter on full assessment - The reason assigned is that the proceedings of the Amildar were ab initio illegal - The Deputy Commissioner submits that the petitioner has presented a petition to him on the subject.

Submitted

RAR, 28/10/96

34 5/12 -10-

auxious to build a village
there and extend cultivation.
It was in view of furthering
this wish that he was given
the option of buying the
whole land if sold en bloc.
He is still prepared to do so.
Then reasons are sufficient
to induce the Govt. to cancel
the sale which was held in
disobedience of clear orders
to the contrary. These sales
are accordingly set
aside. The Govt is willing
to refund the buy the whole
of the purchase money
which may accordingly
be received from him and
refunded to the counter
Petrs. If any
outlay has been incurred
in clearing & to the
preparation the ground for
cultivation by counter Petrs
the Govt will have an
estimate made of such outlay

~~and~~ received it from the Petrs
and refunded it to the Counter
Petrs.
10th Decr 1856

(General Serial No. 32)

1893

(1)

No. 466

Name of Petitioner: Kalloomal Chapsee
and Cloth Merchant

Village: Panvel

Taluk: Panvel

District: Colaba

Date of Arzi: 9th July 1893

Date of Receipt: 14th August 1893

Date of Disposal:

No. of Enclosures: Nil

L. R. 84-95-1

ABSTRACT.

The Petitioner applied to the Collector of Panvel for the grant of 1814 acres of waste land in the village of Kalamboli belonging to the Panvel Taluka, for purposes of building a village thereon and bringing the remaining land into a flourishing state, which, if accomplished would fetch a great revenue to Government. Previous to his application the Patel and other inhabitants of that and other neighbouring villages had applied for a portion of the land in question. The Collector, after due enquiry, &c.

Commended

commended Compliance
with the petitioner's request
receiving 5 acres for Gen
2. The Jamabandy Officer
Mr. Ramaswamiah, after
ascertaining from the ryots
and the original applicants
that they had no objection
to the grant of the petitioner's
request, provided that he
undertook to build a Village
Fee on the land to be granted
to him, told the first applicants
that they could not get it
and that the same would
be given out to the 2nd applic-
-ant, the petitioner. Put in
his mind to the Jamabandy
the said Jamabandy Officer
recommended the grant of
the said land to the ryots
who were the 1st applicants.
The Jamabandy Confirmed
order and cancelled the
petitioner in the regard.
3. Under such circumstance
the petitioner prays that the
land he applied for may be
ordered to be given him and
states that he will bind himself
by executing a Mochalika
to erect a Village ~~at his own~~
~~expense and~~ and a Mosque &
Mahomedan at his own expense on the
site above indicated, and

that

9-8-93

9-8-93

MYSORE REVENUE

PETITION DRAWN BY

4661

DATE 15-8-93

Pet
286

19-8-93

47

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

(2)

OFFICIAL MEMORANDUM.

L. R. 84-93-2

The accompanying Petition No. 466

dated 9th July 1893 received at the

Dewan's Office from Mahomed Hussain

Sahib of Amikal Cuddapa appealing

against the order of the Deputy Commr

of Bangalore, dated 1st July 1893,

refusing to grant him 184 acres

of pasture land in the village

of Talavara Cavilaly

is forwarded, ~~together with its enclosures~~, to the Deputy Commis-

sioner of the Bangalore

District for submission

of Proceedings with a re-

port on the representation

made in the petition

2. The petition should be

returned with the report

By Order,

Draft

17/8

Chief Secretary.

BANGALORE,
~~16~~ 8—1893

17/8/93
20

M. G. C. P. Bangalore.—21-11-92—3,000.

42 2/

that this action of his will Conduce much to the Convenience of the public.

Submitted

The petition is impressed with 2 Rs: Stamp. The endorsement of the deputy Commr. appealed against is not produced.

S.V.
14/8

proceedings of the Govt of U.P. & the Inchargeable Dy Comm

No 9 dated 6 Jan 94

Read docket from the Deputy Commissioner of Bangalore dated 21st September 1893 (page 3) submitting the papers relating to the appeal of Mahomed Shariff & the judicial opinion of the Sessions Judge of the 2nd Circuit regarding the grant vide Bangalore Land Revenue Standing Order thereon

L.R. 84-93-4

No 14605-72
Ref: 1474

21-2-94
3-3-94

In the absence of the statement showing the required area of the village of Kadiranayakanhalli, the Government are unable to say how much of the Gomal land may be granted to the applicants. The Deputy Commissioner is requested to submit the statement prescribed in Govt Proc No 10702-0 / 1138, dated 28th Dec 1892.

2. From the concluding sentence in the Docket read alone, the Deputy Comm^r

does not appear to have yet passed his final orders in regard to the relative claims of the several applicants. When he settles the matter and gives his final endorsement to the Petitioner and other claimants, any appeal preferred will be considered and disposed of. Meanwhile, the attention of the Deputy Commissioner will be drawn to para 14 of Rule XX of the Land Executive Rules which lays down that Purchase for the whole Survey fields should have preference over Purchase for portions only. On this principle, the applicant for the larger area of ground land has a better right than one who applies

Petn Br.
Mysr 2078 L.R.

(General Serial No. 30.)

4123.

1893-94

From The Dy. Commissioner
Bangalore District

(3)

To

The Chief Secretary to the Dewan
of Mysore.

Dated 21st September 1893

Despatched 23rd Do

Received

L.R. 84-93-3

Enclosures No. 14 P.

General No.
29 No. 397.

The Chief Secretary's No. 286 dated 17th Ultimo, forwarding for submission of records, a petition from Mahomed Hussain Sabi of Anekal Kasba, regarding his application for 184 acres of pasture land in the village of Kalamaikanahally, Anekal Taluk.

In returning the enclosures of the above, has the honor to submit

the entire record in the case and to state that the facts are fully explained in Mr. 2nd General Assistant Commissioner, Ramaswami Iya's Memo No. 34 dated 22nd July last.

2. Should the Government be pleased to sanction the alienation of the Gomal land for cultivation, it will be disposed of under the provisions of the Land Revenue Rules.

B. Cobbprosaworth

for Dy Commissioner

MS

for a smaller area.

A unless there are special reasons for deviating from the rules.

Draft

for Chief Secretary

To the Deputy Commissioner Bassein district

the Commissioners of all other districts

26/2/1924

Press copy sent.

55

land applied for for cultivation in the Nagaloia District

Trees thereon			Number of cattle in the village	Remarks.
scription	Approximate no: of each	Estimated value		
nga.	2	4-0-a	10.8	
nga	2	a-8-a		

for Deputy Commissioner

Statement showing the particulars of Gomal

Anekal Taluk, Ba

Taluk	Hobli	Village	Area of land under occupation in the village		Area of assessment unoccupied waste.			Total extent of Gomal land in the village			Extent applied for, for cultivation building or other purposes			
			Acres	Guntas	Acres	Guntas	&c.	Survey No	Extent Acres	Extent Guntas	Survey No	Extent Acres	Extent Guntas	
Anekal	Anekal	Kalmayakanahalli	212	11				24	184	10	out of survey no: 24	134	10	

Deputy Commissioners
Office
Bangalore District
Dated 5th May 1894

form, as called for
in the above.

Wm Gleason
for Dy Commissioner

R 7 No 1

56

Draft for Govt.

Read:-

(8)

Correspondence ending with docket No. 328 dated 5th May 1894 from the Asst. Commissioner, Bangalore District, regarding the alienation for cultivation purposes of gomal Survey No. 24 in the Kalmangala-Kadaballi village, Devanhalli Taluk.

L.R. 84-93-6

Rs 433-4
A.V. 1-94

5.7.94
17

for V.P.

Order thereon.

Government are pleased to sanction the alienation of 130 acres of gomal land out of Survey No. 24 in the village of Kalmangalakadaballi, for cultivation purposes.

2. The ~~[illegible]~~ assessment leviable on the land so granted fixed ~~[illegible]~~ in

Communication with the Superintendent of Revenue Survey and the Land disposed of under the Darkhast Rules.

5

7/7/94

Under Secy.

28/7/94

To

The Deputy Commr &
Bangalore District returning
the vernacular papers received
with his lr No 39, dt 21-9-93.

The Superintendent of
Revenue Survey.

3

I

II

III

[illegible]

6

Gen. Serial No. 32.]

189

No. 835

Name of Petitioner. Ameeran Saib

Village. } Anekal
Taluk. }

District. Bangalore

Date of Arzi. 15-9-94

Date of Receipt. 17-9-94.

Date of Disposal. -

No. of Enclosures. 2

ABSTRACT.

States that he applied for 150 acres of land in the village of Kalamayanahalli & constructed a tank, a chavadi and a village. Mr. Aroldair reported the same to the Deputy Commr who, however, ordered that the land should be given to the first applicant. On his appeal passed Ord no 43 stating that the land should be given to the one who has applied for the first without considering the property of the applicant. But the Deputy

Proceed the Prop. grant in this Petition put up with previous papers.

8.9. L.R. 8h-93-7

This appeal Petn is unstamped here & the copy appln referred in the Chief Secys order-sheet & see if by mistake the stamp was affixed to it.

L.R. 10-9-94

6/10

A copy application in no 16 dated 17-9-94 referred in the Chief secretary's order herewith submitted.

12/5/10

Appeal Petn & enclosures returned unstamped.

9/94

(59)

Commissioner has seen order that
that the land shall be divided
into survey numbers of each 10 acres
and should be sold by public auction
Sharp therefore that the Amildar
may be directed to grant Pattahs
to persons placed under Dr.

Dr.
19/9

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]

[illegible]
[illegible]
[illegible]

[illegible]

[illegible] 10/9/94
" [illegible] 12/9/94
" [illegible] 12-9-94

[illegible] (50)
[illegible] 0-1-0
[illegible] 0-0-2

0-1-2

[illegible]

Ref 792

5-12-94

SORIPMEWAN'S OFFICE.

PETITION DEPARTMENT.

13

OFFICIAL MEMORANDUM.

The accompanying Petition No. 835 / 826

dated 15th Sept 94 received at the Dewan's Office from Andrew Vale Cloth merchant General, applg for 130 acres of land in Kalenakere Chally for building a village and a mosque thereon &c

is forwarded, together with its Encl enclosures, to the Dy. Commr.

Bangalore for that for ~~Tahsildar~~ disposal of the entire proceedings connected with the case ~~to be transcribed~~ ~~Office for record before~~

2. The petition herewith enclosed should be returned

Dy Comr should be addressed

By Order,

Draft.

Chief Secretary.

BANGALORE, 12 1894

5-

S.P.R. 30/11

M.G.C.P. Bangalore.—3-5-94.—1,000.

D

K.R. 84-13-8

K.R. 84-13-8

Andrew Vale - There has been apparently undue delay in the disposal of the Merchant's petition ~~dated~~ dated 15th Sept 94 for a grant of land in Kalenakere Chally for the purpose of building a village and a mosque thereon - It is a large area & the manner of laying out the new village & disposal of the sites - What is the system to be followed? The area asked for en block will not be given at once subject to the condition that the purchaser shall pay such assessment as the Mysore Govt may hereafter fix whether on the basis of constituting the entire area into one survey number & by subdividing it and assessing the several sites separately - or by any other basis to be indicated by the purchaser requested - There be no objection to

(67)

435

Yours

6-11-94

Encl R

63

[illegible]

6

[illegible]

[illegible]
[illegible]
[illegible] 180 [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible] 70 [illegible]

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Gen. Serial No. 31.]

1894/95

OFFICE OF THE DEWAN OF MYSORE
8398
26 DEC 94
Ref 386

From The Commissioner
Bangalore District

To Chick
The Secretary to the
Dewan of Mysore.

Dated 21st Dec 94

Despatched 22nd —Do—

Received

Enclosures—No. 3.

General No.

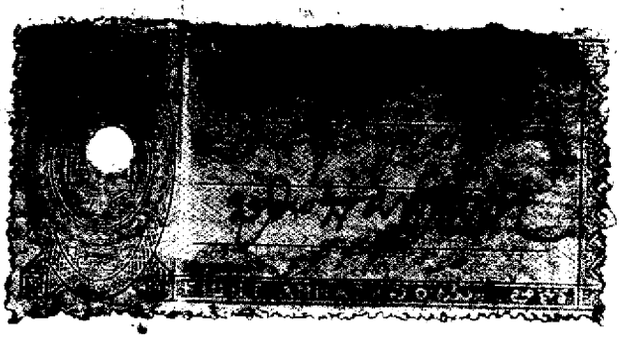
D No. 742.

Sir,

I have the honor to submit herewith my report on the application of Hussain Saheb for 130 acres of land in Kalmaikanahalli village, Magadi Taluk.

In returning the enclosures of the above, I have the honor to state that the 2nd Assistant Commissioner has been asked to call for the land on Monday by

(65) 8



R. 604
1 file.

The land to be assessed should be divided into convenient survey numbers about which the supt. of survey will be written to. If the D.C. thinks that the land is valuable and will fetch a price each number should be sold separately: at any rate such numbers as contain trees

(60)

should be sold.

Sd/- Mir Shujaet Ali
Deputy Commr.
Bangalore Dist.

Dated 16/8/94.

public auction at
the upset price of
$5 per acre estimated
cost of subdividing
the land subject to
the condition by the
purchaser keeping the
assessment fixed
by the Survey Dept
on the various sub
numbers.

Dep Commissioner

Registered
21/29/1912

4

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. NO. 2129 R
DATE 19-2-35

(15)

(70)

Gen. Serial No. 32.]

1895

(16)

No. 2129

Name of Petitioner. Mahomed Hoosain Sab Cloth merchant

Village.
Taluk. } Anekal

District. Bangalore

Date of Arzi. 18 - 2 - 95

Date of Receipt. 19 - 2 - 95

Date of Disposal.

No. of Enclosures. Nil

ABSTRACT.

States that with reference to Govt. Pro. No. 14665 27-2-94 directing the grant of 184 acres of Kharab land near Kalanayakanhalli to him in preference to the above being granted in plots he submitted a petition on 16-11- bringing to notice the unjust arrangement made by the Dy. Commr. to have the said land sold in auction by plots in spite of the said proceedings - but that no orders has as yet been passed on it - Prays that orders may be passed to have the said land placed in his possession and also to stay its sale.

26/2

...r No. ... d/5/12/94 (General ...) from D.C. Bangalore was ...posed to the ... on 27/...

...95

~~Report was~~ ~~L.R. 100-94-4~~

...r No. 742 d/21/12/94 (Gl. No. ...) from DC. Bangalore was ...mitted to the Chief Secretary on ...95. The letter is not among papers received back from Chief Secretary. ~~May this~~ This may be ... to the Camp office to let ...now what became of the reference ...ned.

...95

~~L.R. 84-93-10~~

Placed with file to be submitted to Council

U.J. 5/3

...ce deoff

SUR

15/3

Govt Road

Kishp Ufficers
U/2013

References Invited.

Vide order on separate
Memo 3-4-95

L.R. 99-94-1

L.R. 84-93-12

1

Gen. Serial No. 782

1895

(16)

No. 2373

Name of Petitioner. Mallikarjun Basappa Kattibasappanavar

Village. Kattibasappanavar Jeerahal

Taluk. Belluk-Kanakgiri

District. Raichur

Date of Arzi. 16-3-95

Date of Receipt. 18-3-95

Date of Disposal.

No. of Enclosures. 2 with a Kabulat

ABSTRACT.

That [illegible] applied the Kattibasappanavar Jeerahal Inam for the post of Pujari of Sri Kanakachalapathi Devaru situated at Kanakagiri and that the Shrotriyadars Patwaris and Inamdars in neighbourhood of Kanakagiri and the Executive Officer Kanakagiri Municipality have also recommended the applicant for the post. That the Inam appears to be Shrotriyam No. 1665-72 Kh 494 and that the applicant is the Pujari of Jeerahal Inam for a considerable time and that the Inam is worth Rs. 100 per annum. That the applicant has furnished Kabulat for Rs. 100 and that the Executive Officer Kanakagiri Municipality has certified that the applicant is a decent person and that he would be suitable to the

No. 2129

(73)

(17)

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT,

The 16 — 3 — 1895

Endorsement granted to Mahomed Hoopan Sabi Cloth merchant Anekal -

in reply to his Petition Registered No. 2129 dated 18 February 1895 praying that the sale ~~of~~ of Survey no. 24 of Kalanaikenkalli, Anekal Taluk ordered by the Dy. Commr. may be stayed & petnr ~~may~~ granted him without sale ~~of the said property~~ a village on.

Petitioner is informed that ~~the petitioner's~~ his request cannot be granted.

~~L. R. 10-4-5~~

L. R. 84-93-11

By order

16/3

Draft. Offg: Ch: Secy.

No. 15423.
Pet: 1314

D 13-3-95
21.

Copy forwarded to the Dy. Commr: Bangalore for information.

'By Order'

Draft

16/3

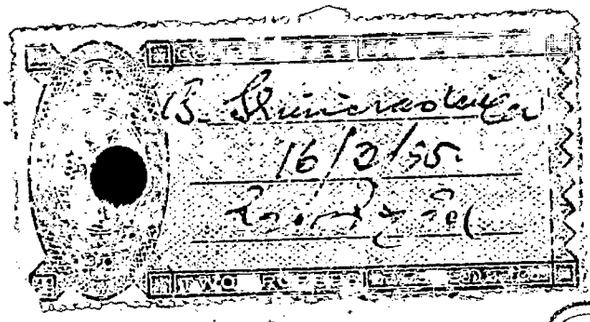
Offg. Chief Secretary.

M.G.C.P.B—19-2-95—1,000

SKR 16/3

16/15-3

3



(10)

Petn Pm 18/3/95 Rc.

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. NO. 2858
DATE 18-3-95

To
His Excellency the Dewan
to His Highness the
Maharaja of Mysore
Bangalore.

The humble petition of
Mohamed Hoosain Sahib
Merchant of Anikal
Taluq - Bangalore dist. -

Most humbly sheweth:-

I That, so long as about 2 years ago, the Petitioner applied to the Amildar of Anikal for the grant of a Koolgaal land measuring 184 acres, attached to Kalanaikanahully of Kasaba Anikal Hobly, with the object of building a village, tank, and a Travellers chatrum at a large outlay and carrying on improved cultivation.

II That the Amildar after due enquiry recommended the grant of the land as prayed for, but as some ryots had previously applied for some small numbers out of the entire area the Deputy Commissioner desired the

the Lands be subdivided into small numbers and be separately according to each applications

III That thereupon the Petitioner appealed to your Excellency and in considering the Petitioners appeal the Government by proceedings No: 4665–92. dated 27th July 1894 Pet: 1474. 1894, ruled as follows

"meanwhile the attention of the "Deputy Commissioner will be drawn "to Para 14 of Rules XX of the Lands "Reserve Rules which lays down "that Parikats for the whole Survey "fields should have preference over "Para Kadu for portions only. On "the principle the applicant (Petitioner) "for the larger area of Crown Land "has a better right than one who "applies for a smaller area unless "there are special reasons for devi- "ating from the Rules."

IV That on 9th November 1894, Petitioner addressed a reminder to the Deputy Commissioner praying that the entirety of the Lands as applied for by him may be granted to him as a Special Consideration as provided for in the Lands Reserve Rules clause V of Section XX and he is also pleased to favour – the Petitioner

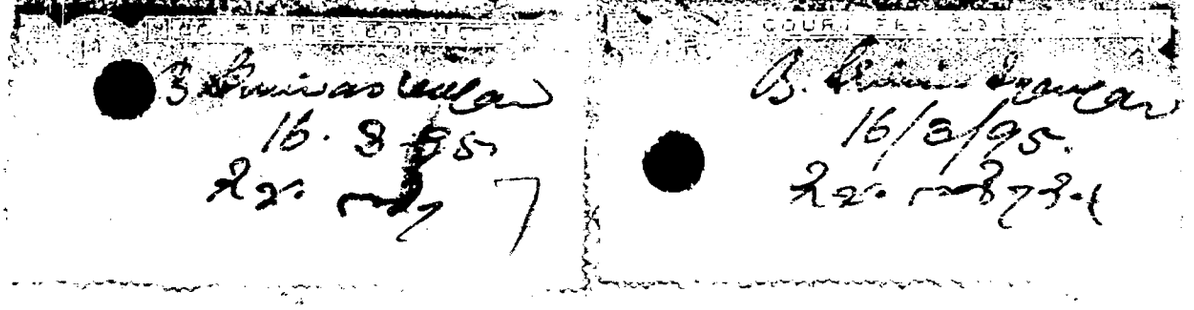
with

with an endorsement No: 19 dated 19th December 1894 herein enclosed saying that the Divisional officer would be written to, to sell the land as a whole Number by Public Auction

V. That subsequently the Petitioner applied to the Amildar of Ankul to grant the land as he above ordered, but to Petitioner after his appointment the Amildar said as per his endorsement (herewith submitted) No: 172 dated 23rd July 1895, that according to the said order that the land in question would be subdivided into small Numbers and each Number would be sold separately.

VI That the Petitioner also understands that some portion of the said land have been sold to some of the men at the beginning of the month without either having surveyed - subdivided or demarcated or effected as required by the Rules of the Survey department

VII That the sale is contrary to the Rules and to the orders of your Excellency as well as to that of the Deputy Commissioner above referred to. Petitioner has been anxiously waiting to get the land to improve them into a village & a large outlay and-



ಕೋರ್ಟಿಗೆ.

ಸನ್ 189 ನೇ ಇಸವಿ. ನಂಬರು.

ಮೈಸೂರುತೀರ್ಪಿಯ ಚೀಫ್ ಕೋರ್ಟು ಆಡ್ವೊಕೇಟ್, ಮಿ|| ಕ್ರೀಡಾನೈಯಂಗಾರ್ ರವರಿಗೆ, ಮೇಲ್ಕಂಡ ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ಅರ್ಜಿ ನಮ್ಮೆರೆ ಕೊಟ್ಟು, ನ್ಯಾಯವಾದಿಸಿ ಫೈನಲ್‌ಆಗುವಂತಹ ಬಗ್ಗೆ ನಾನು ನಿಮಗೆ ಸಲ್ಲತಕ್ಕ ಡಿಕ್ರೀ ಮೊಬಲಗು ವಸ್ತ್ರೈವಜು ಮಾಡಿಕೊಳ್ಳುವ ಮಕ್ಕೊಂಡು ರಸೀದಿ ಕೊಡುವದಕ್ಕೆ, ಸದರಿ ತಮಗೆ ಇದರಿಂದ ಅಧಿಕಾರಕೊಟ್ಟಿದ್ದೇನೆಯಾಗಿ, ತಾವು ನಮಗೋಸ್ಕರ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಸ್ವಯಮಾಗಿ ನಡಿಸಿದಂತೆ ಬಿಟ್ಟಿ ಕೊಡಲು ಇದರಿಂದ ಬದ್ಧನಾಗಿದ್ದೇನೆ.

ತಾರೀಖು /3 ನೇ ಫೆಬ್ರವರಿ

ಸನ್ 189 ನೇ ಇಸವಿ. ರುಜು.

ಮೇಲೆ ರುಜು ಮಾಡಿರುವವರು ನನಗೆ ಶಿಷ್ಟವರಾಗಿ, ನನ್ನ ಸಮಕ್ಷಮದಲ್ಲಿ ಇದಕ್ಕೆ ರುಜುಮಾಡಿದ್ದಾರೆ.

ಈ ವಕಾಲತ್ ಅಂಗೀಕರಿಸಿದ್ದೇನೆ.

ಅಡ್ವೊಕೇಟ್.

2373 of /94
[illegible] 17444 of 7/4/95

40

Vide petn Nos 839 and 858

~~L.R. 99-94-3~~

L.R. 84-93-14

18483 of [illegible] 95
R. 4584

Gen. Serial No. 32.]

1895

No. 76

Name of Petitioner. Mahomed Ibrahim [illegible] cloth merchant, Bangalore by Mr. B. [illegible] Advocate.

Village.

Taluk. Anekal

District. Bangalore

Date of Arzi. 23-6-95

Date of Receipt. 5-7-95

Date of Disposal.

No. of Enclosures. 1

ABSTRACT.

With reference to Government [illegible] of 10-4-95 states that though the petitioner attempted to acquire the lands, [illegible] the matter has not been thoroughly investigated – that of the lands [illegible] there are only two houses and two being placed on two of the plots – that there are no trees on the remaining plots – that [illegible] and that if the land be granted under the rules for the [illegible] amount he is ready to pay and obtain the land – Prays that a day may be fixed for going through all the correspondence in the matter and to hear him personally and that he may be protected by granting [illegible] – and that if the plots containing the trees cannot be granted the rest of the village may be granted to him

(7) and to make it more profitable to Government and useful to Public travelling, as well as to the Petitioner as an entire estate. as the Sale do not completed or confirmed as yet, the Petitioner prays that the whole case may be thoroughly enquired into and the land granted to the Petitioner in its entirity as provided for in clause V of Rule XX of the land Revenue Rules.

VIII. That the Petitioner also prays that the Deputy commissioner may be directed not to give possession of the lands now sold or to erect bonds thereon, pending the disposal of this appeal.

Bangalore:
16/3/95.

V. Krishnaswamy.
Advocate for Petitioner.

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
DATE

2373 of 1895

1644 of 1895
R.4564

8 (8)

No. 2373

GOVERNMENT OF INDIA

(20)

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT,

The 7th April 1895

Endorsement granted to Mahomed Hussain Sab, Cloth Merchant, Anekal,

in reply to his Petition Registered No. 2373 dated 16th March 18, praying that the Sale of S. No 24 in Kalanarkenkalu Anekal Taluk, may not be confirmed & that the Whole Number may be granted to him.

Petitioner is informed that There is already a direction on the record that in accordance with Land Revenue Rule XX para 14 the Boundary for a Whole Number should be prepared. Under this direction Petitioner Hussain Sahib's Darkast is entitled to preference but the land has to be sold if there are trees or other matters appertaining to Govt. The sale of the said land was arranged in accordance with this view as it was reported that there were mango and Honge trees on it. The Depy. Commr. reports that he has ordered the general assistt Commr. Well Noland to enblock. The Dy. Commr. orders action under the circumstances

L.R. 84-93-13

L.R.-84-93-13

'By Order'
Chief Secretary.

M.G.C.P.B—19-2-95—1,000

(82)

circumstances is right-
Encls. are returned.

By order
10/4
Asst.

No. 17404 Actg: Chief Secy.
P. 1414 12.4.98

Copy to the Dy. Commr.
Bangalore District, in
continuation of his
Office Memo-no. 15423
Pol. 1314
dated 13th March 1898.

By order
10/4
Asst.
Actg: Chief Secy

Recd.

SKR.
9/4.
10/4

23/6/95

Gen. Serial No. 32.]

189 5

No. 839

Name of Petitioner. Mahamad Hussain Saib.

Village. Kasba

Taluk. Anakal

District. Bangalore

Date of Arzi. 19-8-95

Date of Receipt. 20-8-95

Date of Disposal.

No. of Enclosures.

ABSTRACT.

States that in reply to his petition appeal to the effect that the village of Kalamachanahalli should be restored to him he was informed with an endorsement to the effect that the Deputy Commr's order is correct.

He now prays that the case may be posted for hearing and justice done to him.

Ref. 7/8

13

Ref. 1564 of May 95

References [illegible]

L.R. 84-93-15

L.R. [illegible]

Saved to the Rev. Councillor with reference to the order recorded on 7-4-95 in the accompanying office note.

Petitioner complains that while the order of Govt No 9665-74 dated 4-2-94 directed that the entire land (abt 48 acres) should be given to him alone the Govt issued the land jointly and did not separately.

The order referred to did not direct that the entire land should be given to petitioner - it left the matter open for the disposal of the Govt in regard to appeal and contained an observation that the applicant for the larger area of final land has a better right than one who applies for a smaller area unless there are special reasons for diverging from the rule.

No report has been received from the Deputy Commr as to how the land was finally disposed of, who bought it & for what price and whether possession of it was given to purchasers or retained by petitioner the land was sub-divided & each sub-division sold separately, this action does not appear

appear to be inconsistent with the above order, while it is consistent with the order of 7 July 94 that the land should be disposed of under the Homestead Rule. The Surveyor-General recommended sub-division and the grant of lots 2 & 3 to the occupants & other parts who had applied for them, on the ground that they would be just & equal recompense for their services which were not remunerated by the pecuniary payment of the purchase money.

The sale of the land, lots 2 & 3 was, would however be inconsistent with the order to sell on block which the Surveyor stated he had issued (vide Lands Rec 74-3-2-12-94 in reply to C.M. 3/2 issued under the order of the Secretary for Lands).

Two Applications have been received for the purchase, 18.18-3-95 that his Wages for the grant of the entire land to him without sub-division could be complied with, and the other dated 10-4-95 which is as follows:— Order has been already issued their application for the entire Number should be accepted & preference to applicants for lots. Though according to this your Minister is not bound to accept the highest tender if there are tenders for it was reported that there were mangrove trees on the land it was ordered that the entire land should be offered for sale by auction. The Surveyor-General has reported that he has ordered the Government Surveyor to sell the land by auction (vide letter dated 30-3-95) under the Homestead Rule. The action of the Surveyor-General is correct.

For as to reconsideration and forego that the whole land be given him as per order of 14-2-94 as understood him the matter for a hearing.

14/9

Reed Letter
18/11/95

Reed & Drafted
5-12-95

Let Applicant
know that the whole
land cannot be
granted
18/11/95

Pet 1084 line 4 Draft 2-10-95 9-12-95

66

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

65

OFFICIAL MEMORANDUM.

The accompanying Appeal Petitions registered Nos. 76, 839, 858 dated 23-6-95, 19-8-95, 22-8-95 received at the Dewan's Office from Mahomed Hussain Sahib Clothmerchant, Kolar: Bangalore, praying review of Government Order No. 2373 dated 10-4-95 declining to grant the extension of village of Kalamakenhalli in the Anekal Taluk;

L.R. 84-93-96

are forwarded, together with one enclosure, to the Deputy Commissioner of the Bangalore District for a full report of the facts of the case and on the points urged in the petitions.

2. The petitions with its enclosure should be returned.

By order,

Offg. Chief Secretary to Government.

BANGALORE, 6-12-1895.

6-12-95.

M.G.C.P.B.—25-4-95—1,000

18

(26)

D. No. 785

Enclosure

By Commissioner's Office
Bangalore District.
Dated 20th/21st February 1896.

To

The Secretary to the Government
of Mysore,
General & Revenue Departments.

Sir,

I have the honor to acknowledge the receipt of your Official Memo C/o Pet. 1084 dated 6th December 1895, forwarding for report petition from Mohamed Hussein Saheb, Cloth Merchant, Anekal, complaining about the disposal of Survey No. 24 of Kalanai Kanahally Anekal Taluk, and in reply to submit the entire record of the case.

Herewith returned.

2. Survey No. 24 was fresh surveyed and the petitioner and some Ryots of the village having applied for it for cultivation the Government in Proceedings No. 433-4 R.F. 1-94 dated 7th

Serial No. (8)

839

839 R
21-8-95

Mr anna stamp a/bd.

[illegible] been given to purchaser [illegible] this in case [illegible] given on 4th [illegible]

17

Gen. Serial No. 30.] Pet 6380/548

1895-96.

From The Dy Commissioner Bangalore District

To The Chief Secretary to the Govt of Mysore. Genl & Rev: Departments.

Dated 20th } February 1896.
Despatched 21st }
Received

Enclosures No. 1 folio

General No. D No. 785.

In reply to Rev: Secy's No. 1082 dated 6th December 1895.

SUBJECT.

Reports on petition from Mohamed Hussein Sahib, cloth merchant, Anekal, complaining about the disposal of Survey No. 24 of Kalanaikanahally, Anekal Taluk with records.

References—(to be entered only in the Dewan's Office).

Petition Branch
DD
24/2/96 Submitted
22/2

July 1894, Sanctioned 130 Acres to be alienated and given out on Assessment. On 16th August 1894, the late Deputy Commissioner ordered that the land should be divided into Convenient Survey Numbers and such Numbers as contain trees Sold Separately. The petitioner complained to Government and on receipt of the Chief Secretary's Memo No 892 dated 1st December 1894, the late Mr Mr Shujaat Ali Khan issued the following order:- "The Deputy Commissioner has "no objection to the sale of the land "en block by public auction at "the upset price of Rs 50/, the Esti- "mated cost of subdividing the "land subject to the condition of "the purchaser paying the assessment "fixed by the Survey Department on "the various Sub numbers. The sale "should be held at once." This order was approved by Government, Revenue Official Memo No 17404 dated 7th April 95, P. 1414

No.	Name of purchaser.	Amount.
1/24	Hotel Balia	20.-
2/24	Venkatiya	16.
3/24	Chikkanna Patti	10-8
4/24	Venkatarayi	13
5/24	Channa Appa	13
6/24	Munishanka reddy	16.
7/24	Volala reddy Patti	24
8/24	Chikkanna	35
9/24	Gurappa	15
10/24	Appiah	7½
11/24	No bid	7¼
12/24	Vaddar Rama	
124	No bid	

No.	Name of purchaser.	Amount.
14/24	Siddappa	8
15/24	Konda	37
16/24	Kondu	27.
7/24	Narappa	14
3 18/24	No bid	"
4 19/24	No bid	"
20/24	Volala reddy	52
	Total	315¼

20

And I am Selling the land
the Channiar Seenas to
Channiar Sidda-Siddi-appa
the above order and
sold the land to the
Channiar, within
mentioned, Property
Survey No 20/24
Gurappa, which conveyed
the Sale of No 20/24 in this
Registrar, this
Order No 753 dated 9th April
1895. Given the honourable
Seal of
Your most Obedient Servant
Dr. Channiar Rao
Tahsildar

Department

... transferred to the ... Branch

26/10/96

L.R. 99-94-6

L.R. 84-93-19

REVENUE DEPARTMENT
Gl. No. 2727 / 21223
OCT 96
1896-97 JE.

Gen. 31]

(28)

From The Dy Commissioner Bangalore District

To The Secretary to the Govt of Mysore Genl & Rev. Departments.

Dated 5th } October 1896.
Despatched 12th

Received

General No.
D No. 381

Enclosure No. 1 file

In reply to Secy's No. 2180/1815 dated 7th April 1896.

States that the purchasers were put in possession of Survey No 24 of Kalanaikanahalli, Anekal Taluk and Saguvali chits issued on 21st April 1895.

Recd 24/10

Recd 26/10

28/10

Please see continuation of the precis at the end.

The ~~petitioner~~ Dy C and recommends the cancellation of the transfer and ... the lands to the petitioner

Submitted

28/10/96

Copied to 10th ... 27/11/96

30/10

Open file please

30/10

Mr ...

translation put up

23/11/96

RD 7 Pm 23/11

Refd 13/10/96

2

No. No. 381
Fin. 1886

Deputy Commissioner's Office
Bangalore District,
Dated 1st September
1886

To

The Secretary to the
Government of Mysore
Revenue and General Dept.
Bangalore.

Sir,

With reference to your docket No. 3.8[illegible]
dated 3rd April 1886, enquiring whether
Lagawali Chits were issued to the inhabitants
of Kiriya in the Malavalli
Venkatachi District, I have the honor to state
that the farmers were left in possession
of lands sold and Lagawali Chits
issued on 2nd April 1885.

2. I have the honor to observe
respectfully that the proceedings of
the Amildar were illegal.
Before our land was ordered to be
sold, the petitioner Muhammad Sadiq
wanted the usual number, and the
Govt.

Government should make the application for the land in the Arundel name preference. The Deputy Commissioner had at first directed that the land should be sold piece-meal, but told the Arundel agent-at that the wishes of Government should be carried out by giving the land to the Arundel for the entire amount, due to the petitioner. In defiance of these instructions, the Arundel sold the land piece-meal, keeping the proceeds. I asked him for an explanation, which he submitted in the form of a letter to Judy which filled with the record. It is impossible to say what were the reasons which induced the Arundel to ignore the clear wishes of higher authority, but I am bound to say that the explanation is far from satisfactory.

3. The applicant says that he is prepared to give security for the cost in event of his failing to found a village on the land and to maintain it afterwards. The proposed terms are published by

the

the intelligence possessed by the Sheriff, and I would recommend that the said writ of writ of Error and any writs issuing thereon be executed and all the said writs of the Petitioner Guilemmus Ryan on fair copy attachment. He has presented petitions to me and represented his case by counsel.

4. The enclosures received with the docket in my reference to you with the records returned.

I have the honor to be,
Sir,
Your most obedient servant,
W. Cunningham
Deputy Commissioner.

(30)

Translation of Tuckal Taluk Amildar's explanation in reply to the Bangalore Dy Commrs query in his No. 1481-7-96

No. 69.

In reply to Bangalore District Munzur. Taluk No. 14 I beg to submit as follows:—

No. 4082 0-7-94

An order having been received from the Division Office to the effect that in accordance with the Progs of Govt the land shd be disposed of under the Land Rules a report was submitted from this office enquiring as to whether the land which contained ~~same~~ trees on it was to be sold under para 1, Section 29, of the L. R. Rules or to be granted to the Amildar subject to an upset price under para 5 of the above rule according

concerning that the claimant
was for a large block and
conditional of populating
the village - The division off
having made a reference in* * this no 123
these points to the district
office the former by Comm.
dated ~~[illegible]~~
in this no 604
directed, that the land be
subdivided into small
numbers and each divided
portion separately put up
to auction - In accordance
with this order the division
officer gave instruction no 134
directing that the above
should be carried out -

It is further stated
in the division officer's memo
No 245 that no charges must

This matter in his No 308
to which I beg to draw at-
-tention -

Even if the land
had been put up to
auction en block it would
not have fetched such
a large amount as it
has done now by the
sale of each allotment
separately - Moreover
There was nobody else
but the Petr to go in and
bid for such a large block
of

Of the numbers that
were put up to auction
No 21 having fetched Rs2
& the sale being subject to
confirmation of the superior
officer The same was not
knocked for and the
Division

Division officer confirmed
the issue in his instruction

No. 753.

Mandator-
Ann Ehrhardt.

Bln.
19/11.

to him. On the recommendation of the Govt. directed the Deputy Commr to sell the land en bloc by auction, if there was no objection to do so. On the 9th June the Deputy Commr advised the Govt to be sold en bloc by public auction at the upset price of Rs 5-, the estimated cost of subdividing the land, and submitted a report to that effect. But the Auction, though aware of the order, put up to auction separately the 20 numbers into which the land had been divided, and knocked down 16 of them to Patel Balaiya and others for Rs 3154 (Three thousand one hundred and fifty four) in all, there being no bid for the rest. The sale of

en bloc (en bloc)

one number which petitioner more than Rs 5- was confirmed by the 2nd General Assistant on 9th April 1925, and thereafter of the 1/2 was confirmed by the Auditor. The purchaser was put in possession and Sayanda Chetty came in April ~~1925~~ The petitioner appealed again to Govt and was granted an enlargement on the 10th April 25 to the effect that the petitioner's application was entitled to preference under para 14 of Rule XX of the Land Revenue Code, but that the sale of the land was sanctioned and contained trees, that the Deputy Commr ~~had reported that~~ to have ~~sanctioned~~ directed the General Assistant Commr to sell the land on block and that the Deputy Commr's action

according to the previous order whether the cost of subdivision should be treated as the upset price and asking for an advance in that case - To this a reply stating that the cost of plotting should be treated as the upset price of the land and that the same may be met out of the sale proceeds of the subdivided numbers was received -

Thereupon the lands were put up to auction numberwar upon an average upset price - But in the presence of witnesses the Petr refused to affix his signature to the "Varaja istihar" - He was however present at the sale The Hasaba Shaikdar reported

This

action was right. The Petitioner now prays for reconsideration of the above order, and for grant of the whole land to him. The Deputy-Commr, in his letter dated 5th October 96, states that the proceedings of the Amildar are ab initio illegal, and that the Petitioner says that he is prepared to give security for the loss in amount of his object to found a new village on the lands and to reclaim it. Otherwise, and recommends that the sale and any rights thereby created be cancelled and all the land allotted to Petitioner.

(1030) Decision of Govt. No. 6073. dt 35-96 & 29.12.96

The Amildar's action in selling the land in toto is

order of the
opposed to the default-judgment
passed on 19th December 1944,
which the applicant of Govt.
The result of these
sales show that four
of these numbers remain
unoccupied. The Petitioner
is anxious to build a village
there and extend cultivation.
It was in view of furthering
this wish that he was given
the option of buying the
whole land if sold en
bloc. He is still prepared
to do so. These reasons are
sufficient to induce the
Govt to cancel the sale
which was held in
disobedience of clear orders
to the contrary. These sales
are accordingly set-aside.
The Petitioner is willing
to pay the whole of the
purchase

3 L

(30)

(105)

Read:—

(1) Petition No 76 dated 23rd June 1895, presented by Mahomed Hussen Sabi of Anekal, praying for reconsideration of the order of Govt dated 10th April 1895, rejecting Petitioner's prayer for cancellation of the sale of Survey No 24 of Kalanayakanhalli, and for grant of the land to him without sale.

(2) Correspondence ending with letter No 381 dated October 1896 from the Dep Commr, Bangalore District submitting the further information called for in Secretariat docket No 9180/1895 dated April 1896.

A & A-96-9

L.R. 86-93-20

Facts of the case. 33

On the application of some ryots for portions, and of Petitioner Hussein Sahib for the whole, of free Gomal land, Survey No 24 (184 - 6 - 0) of Kalanayakanhalli, ~~the appropriation~~ for cultivation purposes, of 130 acres out of it was, as recommended by the Deputy Commr, sanctioned by Govt in Proceedings No 433-4 R. 7.1-94 dated 7th July 1894. On 16th August 94. the Deputy Commr directed the subdivision of the land into convenient numbers, and the sale by auction separately of such ~~parcels~~ of them as contained trees. Petitioner appealed to Govt and urged that as he had applied for the land with a view to build a village and extend cultivation the whole should be granted to

purchase money which may accordingly be recovered from him and refunded to the Counter Petitioners. If any outlay has been incurred in clearing the ground for cultivation by Counter Petitioners, the Deputy Commissioner will have an estimate made of such outlay, recover it from Petitioner and refund it to the Counter Petitioners.

Draft-

Secretary.

C243

29/12/96

To The Deputy Commissioner
Balasore with [illegible] and
Copy of Govt. Orders in
Petitions

23/12/96.

* checked, but a few papers
could not be [illegible] and the entries given
in the [illegible] were marked with a cross.

Sun
11/1/97.

39 No: 76. (29)

L.R. 84-93-21

Dated 12-9-.

By Order

Secretary

Dated 12-9-.

By Order

Secretary